

ARTHUR J. CASEY, ESQ. (Bar No. 123273)
CARRIE M. DUPIC, ESQ. (Bar No. 240252)
ROBINSON & WOOD, INC.
227 North First Street
San Jose, CA 95113-1016
Telephone: (408) 298-7120
Facsimile: (408) 298-0477

MARK D. HASSLER, ESQ. (Indiana Attorney No. 8102-84)
HUNT, HASSLER & LORENZ LLP
100 Cherry Street
Terre Haute, IN 47807
Telephone: (812) 232-9691
Facsimile: (812) 234-2881
Admitted Pro Hac Vice

Attorneys for Defendant
TECHNIFAB PRODUCTS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CRYOTECH INTERNATIONAL, INC., a)
Delaware Corporation f/k/a VBS)
INDUSTRIES INCORPORATED,)

CASE NO. C08 02921 HRL

Plaintiffs and)
Counter-Defendants)

**JOINT STIPULATION AND
REQUEST FOR ORDER
CONTINUING HEARING ON
PLAINTIFF'S MOTION TO EXCLUDE
REPORT AND TESTIMONY OF
O. EARL ELLIOTT**

vs.)

TECHNIFAB PRODUCTS, INC., an)
Indiana Corporation, and DOES I-50,)
inclusive,)

Judge: Magistrate Howard Lloyd

Defendants and)
Counterclaimant)

Plaintiff filed its Motion to Exclude the Report of O. Earl Elliott and Testimony of Mr. Elliott; or in the Alternative, to Allow Plaintiff to File an Expert Report, to be heard on March 30, 2010, but counsel for defendant is unavailable for hearing on that date. Due to said unavailability of defendant's counsel on March 30, 2010, plaintiff's and defendant's counsel have agreed to continue the hearing of plaintiff's Motion to Exclude to April 6, 2010, at 10:00

1 a.m., in Courtroom 2 of the United States District Court, 280 South First Street, San Jose,
2 California.

3 Good cause exists for this Court to exercise its discretion to continue the hearing.

4 IT IS HEREBY STIPULATED that the hearing on plaintiff's Motion to Exclude is
5 continued to April 6, 2010, at 10:00 a.m.

6 HUNT, HASSLER & LORENZ LLP

7
8 By /s/ Mark D. Hassler
9 Mark D. Hassler
10 (appearance *pro hac vice*)

11 Dated: February 24, 2010.

12 JOHANSON BERENSON LLP

13
14 By /s/ David R. Johanson
15 David R. Johanson

16 Dated: February 24, 2010.

17 **ORDER**

18 Good cause thereby appearing, the hearing on plaintiff's Motion to Exclude the Report of
19 O. Earl Elliott, and Testimony of Mr. Elliott; or in the Alternative, to Allow Plaintiff to File an
20 Expert Report is set for April 6, 2010, at 10:00 a.m.

21 Dated: February 25, 2010.

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24 Howard R. Lloyd, U.S. Magistrate Judge